

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRUEL & KJAER EMS INC.,

Plaintiff,

v.

THE PORT OF SEATTLE,

Defendant.

Case No. C17-0430JLR

**ORDER ON NOTICE AND  
STIPULATION OF VOLUNTARY  
DISMISSAL *WITHOUT PREJUDICE*  
UNDER FED. R. CIV. P. 41**


**Noted for May 12, 2017**

**No oral argument required**

Before the Court is the Parties' NOTICE AND STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE UNDER FED. R. CIV. P. 41. Because a plaintiff may voluntarily dismiss a lawsuit without motion or court order by filing a notice of dismissal before an opposing party has served either an answer or a motion for summary judgment, and because the Port of Seattle has served neither an answer nor a dispositive motion in this matter, no stipulation is technically necessary here. Nonetheless, the parties have stipulated to dismissing this action without prejudice, and the Court will sign the Order doing so. The stipulation is **GRANTED.**

1       **THE COURT ORDERS AS FOLLOWS:** This case is dismissed *without prejudice*. The  
2 parties shall bear their own costs and expenses. The Clerk is requested to note that this case is  
3 closed. The Court appreciates the parties' efforts to resolve this matter.

4       Dated this 16<sup>th</sup> day of May, 2017.

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7 JAMES L. ROBART  
8 United States District Judge  
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